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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/014,991	12/11/2001	Gregory E. Sancoff	D0188.70162US01	4207
28/28 7590 12/21/2910 WOLF GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210-2206			EXAMINER	
			BUI, VY Q	
BOSTON, MA	A 02210-2206		ART UNIT	PAPER NUMBER
			3773	
			MAIL DATE	DELIVERY MODE
			12/21/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s) 10/014.991 SANCOFF ET AL Office Action Summary Examiner Art Unit Vy Q. Bui -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 30 June 2010. 2a) ☐ This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 68-75 and 116-120 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. Claim(s) _____ is/are allowed. 6) Claim(s) 68-75, 116-120 is/are rejected. Claim(s) _____ is/are objected to. 8) Claim(s) _____ are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

Notice of Draftsperson's Fatent Drawing Review (PTO-942)

Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date ______.

4) Interview Summary (PTO-413)

5) Notice of Informal Patent Application

6) Other:

Application/Control Number: 10/014,991

Art Unit: 3773

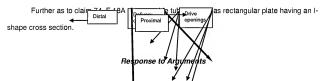
DETAILED ACTION

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 68-75, 116-120 are rejected under 35 U.S.C. 102(e) as anticipated by Makower et al-6,090,063 (Makower).

As to claims 68-75, 116-120, Makeower (F 18A-18B; C 13, L 34-61; C 14, L 31-43) discloses a filament such as a suture wire of a metal (C 6, L 42 to C 7, L 32) shown as filament 123 (F 18A-18B) stored in a detachable/removable spool (a suture wire holder) or cartridge (a housing) as disclosed in C 13, L 34-61 (not shown in F 18A-18B) to store a length of suture wire 123, a guide pathway formed by input conduit 126 and output conduit 125 (a tube) attached to a rectangular plate (a suture guide support or guide tube support) to define two opposed lateral openings for a drive mechanism comprising belts 121, 122 to push suture wire 123 distally substantially as recited in the claims.



Applicant's arguments with respect to claims 68-75, 116-120 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3773

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vy Q. Bui whose telephone number is 571-272-4692. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on 571-272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vy Q. Bui/ Primary Examiner, Art Unit 3773